

REMARKS

I. Status of Claims

Claims 1-20 are pending. By this Amendment, claim 2 is amended.

Claims 2 and 15-18 are rejected under 35 U.S.C § 112 as being indefinite for failing to distinctly claim the subject matter which applicant's regards as the invention.

Claims 1, 2, 5, 6, 11, 13, 17 and 19 are rejected under 35 USC § 103(a) as being unpatentable over Huang (UPS 5,779,113)(hereinafter "Huang") in view of Doynov (US Publ. 2002/0163495 A1)(hereinafter "Doynov"). Claims 3, 14, 15 and 16 are rejected under 35 USC § 103(a) as being unpatentable over Huang in view of Doynov as applied to claims 1 and 2 above, and further in view of Yuzuki (USP 6,324,124 B1). Claims 7, 8, 19, and 20 are rejected under 35 USC 103(a) as being unpatentable over Huang in view of Doynov as applied to claims 5 and 6 above, and further in view of Yaniger (USP 5,302,936). Claims 9, 10 and 14 are rejected under 35 USC § 103(a) as being unpatentable over Huang in view of Doynov as applied to claims 1, 5 and 6 above and further in view of Yang (USP 6,991,364 B2). Claims 12 is rejected under 35 USC § 103(a) as being unpatentable over Huang in view of Doynov as applied to claim 1 above and further in view of Olsson (USP 4,244,044).

II. Specification

The specification is amended to add specific headings as suggested by the Examiner and therefore obviate the objection.

III. IDS

With regard to the Information Disclosure Statement, Applicants note an Information Disclosure Statement, properly listing the references on a PTO/SM08A, was filed on July 5, 2005.

IV. Claim Objections

Regarding the claim objections, Claim 2 is amended to obviate any perceived ambiguity.

V. Pending Claims

Independent claim 1 stands rejected under 35 USC § 103(a) as being unpatentable over Huang in view of Doynov.

The Applicant respectfully submits that claim 1 is patentable over the cited references at least because it recites, “a distal portion for surrounding at least the first phalanx at the base of the index finger... at least one actuator means is mounted laterally on the distal portion of the wristlet so as to be actuatable by the thumb of the same hand.” (emphasis added)

Regarding claim 1, the wristlet comprises a distal portion which surrounds at least the first phalanx at the base of the index finger. In contrast to the present invention, in Huang, the front loop formed on the elastic cord is laid only around the extremity of the first phalanx, under the base of the middle finger, but does not surround at least all the first phalanx of the index finger. Further, by the Examiner’s own admission, there is no actuator means mounted laterally on the distal portion of the wristlet so as to be actuated by the thumb of the same hand.

As stated above, the actuator means can be mounted laterally on the distal portion of the wristlet so as to be actuated by the thumb of the same hand. This arrangement may help a sportsmen avoid using the hand without the watch to actuate, for example, an ON/OFF control. Since this design may limit interference with the performance of a particular sport, while at the same time preventing disturbances to the attention of the sportsmen, accidents and the risks associated therewith may be avoided. Likewise, there is limited risk of untimely actuation, due to both fingers pressing against each other, since the thumb is naturally spaced well apart from the index finger.

To attempt to cure the deficiencies of Huang, the Office action cites Doynov. In Doynov, the apparatus comprises a mounting frame for attachment to a user’s finger directly adjacent to the thumb of the same hand and a frame structure comprising sensors which can be actuated by pressing the sensors with the thumb. The sensors are connected to a physical link layer placed on a wrist-mounted support strap corresponding to the proximal portion surrounding the wrist.

Doynov discloses an apparatus that can be worn on a user's body for interfacing with electronic devices, specifically for the control and navigation of computer, personal digital assistants, portable electronic devices, etc. The Doynov apparatus may be used for minimal and ergonomically suitable physical movements which are sufficient to manipulate the apparatus and interface with the controlled devices.

In Doynov, the apparatus is connected to the electronic device by means of a physical link layer such as a wire-base connection or a wireless connection. The electronic device and the apparatus are separated so that they can move independently one from the other.

There is no teaching or suggestion in Doynov to modify the elastic band 20 of Huang to include an actuating means. In fact, assuming arguendo that the proposed modification is even structurally possible with an elastic band, it would make the Huang band 20 inoperative for its intended purpose of gliding through the holes 14, 15. Moreover, one of ordinary skill in the art of watches is different than one of ordinary skill in the art of electronic devices such as computers, and more precisely from one of ordinary skill in the art of U.S. Classification 345/156. Therefore, the Applicant respectfully submits that one of ordinary skill in the art would not look to the Doynov apparatus and combine it with Huang's watch system, to obtain and design the embodiment of the present invention.

The present invention may be very useful for practicing sports to reduce the risk of accident that may occur during the manipulation of current sport watches that momentarily distracts the attention of the sportsmen. The present invention addresses the drawbacks of conventional sport watches. The lack of solutions to perform and improve sport activities, and to reduce the risks of accidents during the practice of sports, is one of the reasons why the watch assembly of the present invention is also not rendered obvious by the cited references.

Thus, for at least these reasons, the Applicant respectfully submits that neither Huang, Doynov, nor the cited references, either alone or in combination, teach or suggest the watch assembly as recited in the Applicant's claims. The Applicant respectfully submits that the Applicant's watch assembly is not suggested by the references, and it is not proper under 35 U.S.C. § 103 to use Applicant's invention as a blueprint to pick and choose unrelated features of

unrelated references to reproduce, in hindsight, Applicant's invention. Moreover, even using the improper hindsight reconstruction, none of these references suggests the claimed watch assembly.

For at least these reasons, claim 1 and its dependent claims are patentable over the cited references.

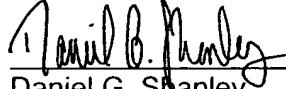
VI. Conclusion

The Examiner is invited to contact the undersigned at (202) 220-4420 to discuss any matter concerning this application.

Applicants do not believe that any additional fees are required in connection with this submission. Nonetheless, Applicants authorize payment of any additional fees under 37 CFR §§ 1.16 or 1.17 or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

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Daniel G. Shanley
Registration No. 54,863

KENYON & KENYON LLP
1500 K Street, N.W. – Suite 700
Washington, D.C. 20005-1257
Tel: (202) 220-4200
Fax: (202) 220-4201
652488